

From: Mr. David Rice
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CC: Joanne Schneider,Frances McChesney,Philip Wyels
Date: 2/20/2009 2:03 PM
Subject: Re: Santa Ana Regional Board -- Rialto/Colton Groundwater Basin

Mr. Berchtold,

The Advisory Team confirms its understanding of the deadline adjustments outlined in your email below.

Thank you.

David Rice

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>>> Kurt Berchtold 02/20/09 12:33 PM >>>
Dear Mr. Rice,

Last Friday, February 13, 2009, a proposed hearing notice and other draft documents involving a request for the calendaring of a Santa Ana Regional Board hearing on a proposed administrative settlement involving the Regional Board and the County of San Bernardino was e-mailed to you and a number of other interested parties.

Yesterday, there was a conference call among counsel for various interested persons, which included representatives of the Regional Board Settlement Team, the County, Rialto, Colton, Goodrich, the Emhart Parties, PSI, West Valley Water District, Fontana, and APE. The purpose of the call was to discuss the nature of the proposed hearing, dates, and possible agreements on how to proceed. As a result of this meeting, the parties agreed to meet and confer again next Monday, February 23, 2009, at 2:00 pm to discuss these issues further with the goal of reaching an agreement on the next appropriate procedural steps.

To facilitate those discussions, the Regional Board Settlement Team offered to extend its originally proposed deadline of February 20, 2009 for all interested party comments to its proposed hearing notice/procedures to March 2, 2009, and the February 24, 2009 deadline for the County of San Bernardino to submit its comments and evidence to March 4, 2009. Many of the parties on the call did not believe that the e-mail sent last Friday by the Regional Board Settlement Team was proper and, even if it was, the proposed new dates were unreasonable under all the circumstances. Nevertheless, all parties agreed to accept the Regional Board Settlement Team's proposed new dates with the understanding that good faith discussions would continue next week and all parties were reserving their rights to file necessary objections at the appropriate time and, if necessary, request more time to prepare those objections.

Please confirm by response to this email that the Regional Board Advisory Team understands that the Regional Board Settlement Team has adjusted its February 20 and February 24 deadlines as set forth above. The interested parties will keep you informed if we are able to come to any agreements next week.

Kurt V. Berchtold
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